

J07-166804M/AIO  
NGB.359

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Ando, et al.

Serial No.: 10/776,348

Group Art Unit: 3748

Filed: February 12, 2004

Examiner: Thai Ba Trieu

For: VARIABLE NOZZLE CONTROL APPARATUS OF TURBOCHARGER

Honorable Commissioner of Patents  
Alexandria, VA 22313-1450

ATTENTION: FINANCE DIVISION

Sir:


**REQUEST FOR REFUND**

A charge of \$180.00 was erroneously deducted for fee code 1806, Submission of IDS, from our Deposit Account 50-0481 on June 1, 2005.

Our records show that we filed an IDS on April 27, 2005 with certification, and that no charge was necessary because the IDS was filed before a final Office Action or Notice of Allowance. Therefore, the \$180.00 was charged in error and should be refunded.

Therefore, Applicant respectfully requests that the \$180.00 fee be refunded to Attorney's Deposit Account No. 50-0481. Please credit any overpayment of fees to Attorney's Deposit Account number 50-0481.

Respectfully Submitted,

  
Sean M. McGinn, Esq.  
Reg. No. 34,386

Date:

9/29/05

**MCGINN INTELLECTUAL PROPERTY  
LAW GROUP, PLLC**

8321 Old Courthouse Road, Suite 200  
Vienna, Virginia 22182-3817  
(703) 761-4100  
Customer No. 21254



## UNITED STATES PATENT AND TRADEMARK OFFICE

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MONTHLY STATEMENT  
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To replenish your deposit account, detach and return top portion with your check. Make check payable to Director of Patents & Trademarks.

MCGINN & GIBB, PC  
SEAN M MCGINN  
8321 OLD COURTHOUSE RD.  
SUITE 200  
VIENNA VA 22182-3817

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JUL 20 2005

McGINN &amp; GIBB, P.O.

|             |         |
|-------------|---------|
| Account No. | 500481  |
| Date        | 6-30-05 |
| Page        | 1       |

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United States Patent and Trademark Office  
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U. S. Patent and Trademark Office  
P.O. Box 70541  
Chicago, IL 60673

FEE CODE 1806 - Submission of IDS

| DATE POSTED | CONTROL NO. | DESCRIPTION<br>(Serial, Patent, TM, Order) | DOCKET NO.             | FEE CODE | CHARGES/<br>CREDITS | BALANCE  |
|-------------|-------------|--|------------------------|----------|---------------------|----------|
| 6 1 05      | 5           | 10776348                                   |                        | 1806     | 180.00              | 792.00   |
| 6 1 05      | 134         | 10652513                                   | 106.359J07-166804M/A10 |          |                     |          |
| 6 1 05      | 213         | 29230834                                   | T36-158818M/KOH        | 1251     | 120.00              | 672.00   |
| 6 1 05      | 214         | 29230834                                   |                        | 1012     | 200.00              | 472.00   |
| 6 1 05      | 215         | 29230834                                   |                        | 1112     | 100.00              | 372.00   |
| 6 1 05      | 231         | 1932209                                    |                        | 1312     | 130.00              | 242.00   |
| 6 1 05      | 232         | 1959230                                    | GIF.005                | 8521     | 40.00               | 202.00   |
| 6 1 05      | 233         | 2050505                                    | GIF.005                | 8522     | 25.00               | 177.00   |
| 6 1 05      | 234         | 2051384                                    | GIF.005                | 8522     | 25.00               | 152.00   |
| 6 1 05      | 235         | 2134764                                    | GIF.005                | 8522     | 25.00               | 127.00   |
| 6 1 05      | 245         | 5321800                                    | GIF.005                | 8522     | 25.00               | 102.00   |
| 6 1 05      | 246         | 6741264                                    | GIF.007                | 8021     | 40.00               | 62.00    |
| 6 8 05      | 1           | 09768466                                   | GIF.007                | 8021     | 40.00               | 22.00    |
| 6 8 05      | 2           | 09768466                                   | FF-0131US              | 1202     | 162.00              | 140.0000 |
| 6 8 05      | 16          | E-REPLENISHMENT                            | FF-0131US              | 1201     | 172.00              | 312.0000 |
| 6 9 05      | 71          | 10470053                                   |                        | 9203     | -10000.00           | 9688.00  |
| 6 10 05     | 4           | 10516244                                   | 030013                 | 1251     | 120.00              | 9568.00  |
| 6 10 05     | 6           | 10516244                                   |                        | 9204     | -130.00             | 9698.00  |
| 6 10 05     | 29          | 10256237                                   |                        | 9204     | -54.00              | 9752.00  |
| 6 10 05     | 104         | 10451829                                   | K06-149231M/           | 1201     | -88.00              | 9840.00  |
| 6 10 05     | 309         | 11148182                                   | PSYF-01205 US          | 1201     | 400.00              | 9440.00  |
| 6 10 05     | 310         | 11148182                                   | 05-38 PUS              | 1011     | 300.00              | 9140.00  |
| 6 10 05     | 311         | 11148182                                   | 05-38 PUS              | 1111     | 500.00              | 8640.00  |
| 6 21 05     | 1           | 10231175                                   | 05-38 PUS              | 1311     | 200.00              | 8440.00  |
| 6 21 05     | 2           | 10231175                                   | 02USFP789-MK           | 1253     | -1020.00            | 9460.00  |
| 6 23 05     | 77          | 10052347                                   | 02USFP789-MK           | 1252     | 450.00              | 9010.00  |
| 6 24 05     | 13          | 10790055                                   | P 282475               | 1814     | 130.00              | 8880.00  |
| 6 24 05     | 26          | 10522687                                   | DEC.047A               | 2202     | 200.00              | 8680.00  |
| 6 27 05     | 17          | 10518917                                   |                        | 9204     | -100.00             | 8780.00  |
| 6 27 05     | 18          | 10518917                                   |                        | 9204     | -500.00             | 9280.00  |
| 6 27 05     | 39          | 10519160                                   |                        | 1642     | 400.00              | 8880.00  |
| 6 28 05     | 1299        | 78659557                                   |                        | 9204     | -100.00             | 8980.00  |
| 6 29 05     | 8           | 76641482                                   | PLA.001                | 7001     | 650.00              | 8330.00  |
| 6 29 05     | 12          | 76641483                                   | EDU.019                | 6001     | 40.00               | 8290.00  |
| 6 30 05     | 17          | 11063747                                   | EDU.020                | 6001     | 40.00               | 8250.00  |
| 6 30 05     | 284         | 10522687                                   | F04-393-US             | 8021     | 40.00               | 8210.00  |
|             |             |  | US01-05002PCT          | 8021     | 40.00               | 8170.00  |

AN AMOUNT SUFFICIENT TO  
COVER ALL SERVICES REQUESTED  
MUST ALWAYS BE ON DEPOSIT

| OPENING BALANCE | TOTAL CHARGES | TOTAL CREDITS | CLOSING BALANCE |
|-----------------|---------------|---------------|-----------------|
| 972.00          | 4794.00       | 11992.00      | 8170.00         |

205 (8/2004)

LAW OFFICES OF  
**McGINN INTELLECTUAL PROPERTY LAW GROUP, PLLC**

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SENDER'S E-MAIL: SMCINN @ MCGINNIPLAW.COM

2005 SEP 30 10:10:24

US PATENT & TRADEMARK  
OFFICE

SEAN M. MCGINN  
PHILLIP E. MILLER†  
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JAMES N. DRESSER  
JOHN J. DRESCH  
SCOTT M. TULINO  
J. BRADLEY WRIGHT†  
†MEMBER OF BAR OTHER THAN VA

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September 29, 2005

VIA FACSIMILE

To: Mai  
Deposit Accounts  
U.S.P.T.O.

Facsimile No.: (571) 273-6500

From: Sean M. McGinn

Facsimile No.: (703) 761-2375

Re: June 30, 2005 Deposit Account Statement  
U.S. Patent Application No.: 10/776,348  
Our Ref.: NGB.359

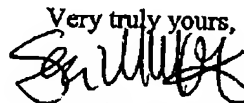
Dear Mai:

A charge of \$180.00 was erroneously deducted for fee code 1806, Submission of IDS, from our Deposit Account 50-0481 on June 1, 2005.

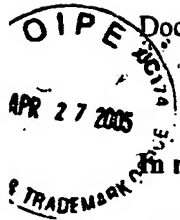
Our records show that we filed an IDS on April 27, 2005 with certification, and that no charge was necessary because the IDS was filed before a final Office Action or Notice of Allowance. Therefore, the \$180.00 was charged in error and should be refunded.

For your convenience, enclosed is a copy of the June 30, 2005, Monthly Statement of Deposit Account.

Thank you in advance for your consideration on this case.

Very truly yours,  
  
Sean M. McGinn

SMM/yr  
Enclosures



Docket No. J07-166804M/AIO  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

STW

In re Application of

Ando, et al.

Serial No.: 10/776,348      Group Art Unit: 3748

Filed: February 12, 2004      Examiner: Thai Ba Trieu

For: VARIABLE NOZZLE CONTROL APPARATUS OF TURBOCHARGER

Honorable Commissioner of Patents  
Alexandria, VA 22313 - 1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

Under the provisions of 37 CFR §1.97 through §1.99 and pursuant to applicants' duty of disclosure under 37 CFR §1.56, applicants respectfully bring the following documents listed on the attached from PTO-1449, to the attention of the Examiner in charge of the above-identified application. These references were cited by the Examiner in a counterpart co-pending Application No. 10/875,825, in an Office Action dated January 27, 2005. Copies of the listed documents are provided herewith for the convenience of the Examiner.

This citation does not constitute an admission that the references are relevant or material to the claim. They are only cited as constituting related art of which the applicants are aware.

I hereby certify that no item of information contained in the information disclosure statement was cited in a communication from the United States Patent Office in U.S. Patent Application Serial No. 10/875,825, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the information disclosure statement.

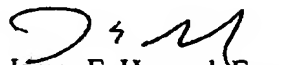
It is respectfully requested that the listed references be considered by the Examiner and formally made of record in this application.

Please charge any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-0481.

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Adjustment Date: 11/17/2005 SDIRETA1  
06/01/2005 DBREWER 00000005 500481 10776348  
01 FC:1806 180.00 CR

Respectfully submitted,

  
James E. Howard, Esq.  
Registration No. 39,715

Date: 4/12/05  
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